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ABSTRACT

An annotated bibliography of approximately 150 books and articles on the mentally retarded offender as well as 30 nonannotated entries are provided. Topics covered include such areas as characteristics of mentally retarded delinquents, rehabilitation of the retarded offender, community services for retarded persons, rights of the mentally retarded, etiology of criminal behavior, and insanity as a defense in criminal law. (PHR)

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Annotated Bibliography

THE MENTALLY RETARDED OFFENDER

Developed by Class Members Enrolled in

"The Mentally Retarded Offender
in the Criminal Justice System"

Summer, 1978

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Bibliography

Albini, J. L. and Dintz, S. Psychotherapy with disturbed and defective children: An evaluation of changes in behavior and attitudes. American Journal of Mental Deficiency, 69 (4): 560-567, 1965.

Changes in attitudes and behavior were evaluated in 73 institutionalized mental retardates with a history of behavior disturbance: (frequent fighting and arguments, stealing, setting fires, and destroying property). The psychotherapy program was oriented towards the identification, comprehension, and working through of problems.

Allen, Richard C. "Toward an Exceptional Offenders Court," Mental Retardation, 1966, Vol. 4, p. 3-7.

The author, citing the difficulties inherent in tailoring traditional criminal law procedures to fit the special needs of the retarded, suggests the establishment of exceptional offenders courts for retarded adults charged with, or convicted of, a serious crime. Like the juvenile court, a primary objective of such courts would be the welfare of persons coming under their wardship.

Allen, R. The Retarded Offender: Unrecognized in Court and untreated in Prison, Mental Retardation, 1978, p. 9.

A brief synopsis of the systematic ignorance in the criminal justice system from arrest through confinement of the mentally retarded offender.

Allen, R. C. and Ferster, E. Z. Mental Impairment and Legal Incompetency, Prentice Hall, Englewood Cliffs, N. J., 1968.

Definitions (legal) of mental weakness; mental disorders in testamentary incompetence; very good book for overall case studies, court findings and general law questions regarding the mentally incompetent.

Bakeman, Vincent C. "The Developmentally Disabled Offender and Community-Based Services in Illinois," Offender Rehabilitation, 1976, Vol. 1, p. 89-100.

This survey examined the needs and problems of developmentally disabled offenders, particularly the mentally retarded. Results indicate the most needed community-based services were specialized living arrangements, counseling, evaluation, and sheltered employment.

Bannister, Peter A., Haskin, Kenneth, J., Bolton, Niel, and Smith, Federick V. (Manchester Polytechnic, M 13GH England). A Study of Variables related to the Selection of Long Term Prisoners For Parole, The British Journal of Criminology, 1974, 14, 4, Oct. 359-368.

The effects of Long Term imprisonment. 200 prisoners who had been sentenced to determinate sentences of 10 years or more or to indeterminate sentences were tested on a wide variety of psychological tests including tests of attitude, personality, and cognitive skills.

Bartlett, Richard. Characteristics of Adolescent Mentally Retarded Delinquents in Virginia Training Schools, Training School Bulletin, 71, 157-163, 1974.

This study obtained information about the mentally retarded students in Virginia Training Schools. The information was obtained in surveys and interviews. Achievement scores, race, and other factors were considered.

Baselon, D. L. "Mental Retardation: Some Legal and Moral Considerations," American Journal of Orthopsychiatry, 35(5), 1965, 838-844.

This paper was delivered to the 1965 annual meeting of the American Orthopsychiatric Association. Discusses how knowledge about mental retardation has to be filtered into our legal and social institutions. The various disciplines in the mental health and behavioral professions have to give their time to give this knowledge to the public, courts, police, social agencies, legislature so their decisions won't be based on previous misinformation or plain ignorance.

Beckman, J. et al. Report of Sex Chromosome Abnormalities in Mentally Retarded Male Offenders including a Psychological Study of Patients with an XYY and XXYY Karotypes, Journal of Mental Deficiency Research, 1974, Vol. 18, No. 4, 331-335.

The author conducted a cytogenetic investigation of 99 retarded male offenders. Testing indicated that those with sex chromosome abnormalities had a relatively high I.Q. (63-68), compared with other retarded offenders. Personality tests indicated that the subjects were characterized by impulsivity, immaturity, the use of primitive and ineffective defense mechanisms.

Bedford, Alan. Women and Parole, The British Journal of Criminology, 1974, 14, 2, April, 106-117.

287 women considered for parole between April 1968 and June 1971 were studied--considering offense, age, level of sentence, previous convictions, previous prison sentences, interval at risk, disposal of offense, history of behavior, if previously on probation, behavior in prison, marital status, number of children and living arrangements on release--in order to describe factors in the womens' circumstances relating to the parole board's decision to recommend parole.

Berlin, Irving N. The Rights of the Retarded Child and His or Her Family, Brunner/Mazel, New York, N. Y., 1975.

This book presents a history of the rights of the retarded, noting recent advances in research and technology affecting the retarded. Rights are discussed as they relate to education, the law, effective social services and work experiences.

Brelje, T. An overview of incarceration. In, Browning, P. (Ed.), Rehabilitation and the Retarded Offender, Charles C. Thomas, Pub., Springfield, 1976.

The mentally retarded offender is doubly rejected--by the agencies for the retarded because he is a criminal first and mentally retarded second, and by corrections because he would not benefit substantially from the rehabilitation and treatment programs that they offer. Consequently, the mentally retarded offender is often not provided with conditions which will be appropriate for his condition. In a summatory fashion, this may be the basis for the high recidivism rate for such offenders.

Brown, B.S., Courtless, T.F., Silber, D.E. "Fantasy and Force: A Study of the Dynamics of the Mentally Retarded Offender," The Journal of Criminal Law, Criminology, and Police Science, 1970, Vol. 61, pp. 71-77.

Based on survey undertaken in 1963-1964 and reported at 1963 Annual Meeting American Psychiatric Association. Report attempted to explore more deeply the social, criminological, and psychological dynamics of findings of the survey. In particular, offense severity, the administration of criminal justice, and the correction process were the focal concerns of the study. Includes description of psychosocial legal processes used in six states to handle anti-social behavior committed by "unintelligent" people. Includes plea for more concern about subject.

Browning, Philip L. (Ed.). Rehabilitation of the Retarded Offender, Thomas, Springfield, Ill., C 1976.

Outgrowth of a conference sponsored by the Rehabilitation, Research, and Training Center in Mental Retardation and the President's Committee on Mental Retardation.

Browning, Philip L. Mental Retardation Rehabilitation and Counseling, Charles C. Thomas, Springfield, Ill., C 1974.

This manuscript presents in a very clear positive fashion a compilation of knowledge obtained from both research and training endeavors which were undertaken by professional individuals representing a number of scientific disciplines, i.e., counseling, rehabilitation, research, etc., the major outcomes of which have contributed to better understanding of the mentally retarded.

Carter, Barbara (Federal City Coll., Washington, D.C.). Race, Sex, and Gangs: Reform School Families, Trans-Action 1973, 11, 1, Nov.-Dec. 36-43.

A study of the love and romance between girls, courtship rules, dynamics of courtship and having a family.

Chandler, C.A., Norman, V.B., and Bahn, A.B. The mentally deficient in outpatient psychiatric clinics, American Journal of Mental Deficiency, 67:218-226, 1962.

Data on psychiatric out-patient services for the mentally retarded are presented.

Clear, Val and Clear, Scott. Horizons in the Criminal Justice System, Crime and Delinquency, 1974, Vol. 20, 25-32.

Possible changes in the criminal justice system are analyzed. The Juvenile Court and indeterminate sentence were considered revolutionary innovations only a few years ago.

Cohen, Herbert. The Academic-Activity Program at Hawthorne - A Specially Designed Educational Program for the Troubled Adolescent, The Exceptional Children, Oct. 1963, 74-79.

This article discusses an academic program that was established to work with disturbed, antisocial students who functioned 3 to 6 years below their normal achievement level. The program included half day instruction in the basics of social studies, English, math, science and job information and a half day of vocational arts training. Results showed that children enrolled in the program increased their academic achievement, were not bored with school and ceased all antisocial and disruptive behavior.

Cook, T.H., Solway, K.S. WISC Subtest Patterns of Delinquent Male Retardates, Psychological Reports, 1974, 35:22.

Silverstein (1968) reviewed 10 studies of WISC subtest patterning among sample of retardates. Results indicated a considerable degree of similarity between delinquent and non-delinquent retardates.

Craft, M. Psychotherapy for the young male sex offender, Journal of Mental Subnormality, 11(21): 58-61, 1965.

"Dull" adolescents were differentiated into 3 types of young male sex offenders, (1) the isolated offense (2) the unstable adolescent, and (3) the persistent sex offender for whom all available resources must be used to aid community in changing line of sexual desire. Emphasis was on out-patient psychotherapy and adjustment within the home.

The Developmentally Disabled Offender in the Illinois Criminal Justice System, Chicago, Illinois: Correctional Services for the Developmentally Disabled, ERIC Documents Reproduction Service, Arlington, Virginia, 1975.

This report reviewed five separate studies which were conducted using either a questionnaire or interview technique with law enforcement personnel, lawyers, judges, mentally retarded offender, etc. The results were as follows: (a) law officers are not adequately trained to detect mentally retarded suspects, (b) there is the tendency to refer such persons by the court to community agencies as an alternative to incarceration, and (c) that these agencies do not offer the required therapeutic follow-up for such persons, just recreation, etc.

Dempsey, John J. Community Services for Retarded Children, Baltimore, Md., University Park Press, 1975.

This book presents a handbook for professionals, policy makers, students and teachers providing services for the retarded child.

DeRueck, A. and Proter, R. (Eds.). The Mentally Abnormal Offender, Little, Brown & Company, Boston, 1968.

Text includes a wide variety of topics concerning both the mentally retarded and emotional disturbed offender. Special emphasis placed on both the interdisciplinary and intradisciplinary procedures and responsibilities for the diagnosis, disposition, placement, and rehabilitation of such persons.

Dingman, Harvey. Social Performance of the Mentally Retarded in Myers. C., Sociobehavioral Studies in Mental Retardation, Monographs of the Assoc. on Mental Deficiency, 1973, 87-90.

This article dealt with the question of whether mental retarded individuals get into the criminal justice system because of their low intelligence or because of their low level of social competence. He gave examples of how individuals who were competent performed very well in social situations.

Dist. of Columbia Vocational Rehabilitation Dept., Habilitating institutionalized delinquents and retardates, 1968, 90 p.

This was a 3 yr. 8 mo. demonstration project consisting of the mentally

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retarded and juvenile delinquents which were residents of the D.C. Children's Center. The subjects were evaluated in various areas and psychiatric disorders were the most frequent medical problems found among the delinquent subjects. Physical disorders, including serious and chronic complaints were much more common among retardates than delinquents. In spite of the differences between the 2 samples, some similarities were noted. The study concluded by saying that, "it is expected that employment will be attained by most of the retarded subjects (50-67%) and that 51-60% will eventually live outside of the institution.

Dix, George E. "Psychological Abnormality as a factor in grading criminal liability," Journal of Criminal Law, Criminology and Police Science, Chicago, 62(3): 313-334, 1971.

An examination of the relationship of mental abnormality and criminal responsibility. Considering the abnormality without pleading the defense of insanity.

Duncan, J. and Gazda, G. Significant content of group counseling sessions with culturally deprived ninth grade students. Personnel and Guidance Journal, 46(1): 11-16, 1967.

Presents examples of the problems and possible undetected criminal behavior of culturally deprived white ninth grade boys and girls. There was a general pattern of using inappropriate means to gain acceptance and recognition, and a philosophy of life geared toward immediate material gratification. It is suggested that group counseling may aid these students.

Egglestein, A. Solomon and Berman, Yitzahak. Legal Enactment for the Retarded in Israel, Mental Retardation, 1976, 14(5): 34-35.

This article discusses a new amendment to the Welfare Law "Treatment of Retarded Persons" which was enacted in 1975. The MR is now perceived by the law in light of his peculiar characteristics.

Ennis, Bruce and Siegel, Loren. The Rights of Mental Patients - The Basic ACLU Guide to a Mental Patient's Rights, Richard Baron, N.Y., N.Y., 1973.

This is a handbook which may be of assistance to a lawyer, a social worker, the family of the MR offender or even an administrator of a mental hospital. It sets forth the rights of the individual and how to protect his rights. Chapters of the book include emergency and non-emergency hospitalization of the patient, the right to a lawyer, conditional and unconditional release and periodic review of the case. Once in a facility the chapters deal with rights, confidentiality of records, control of personal property including incompetence to manage property and adequate clothing and funds. The restoration of legal competence and penalties are the final chapters of the book as individual makes his way out of the facility.

Foale, Martha, M.D. "An Approach to Stabilization of Male Juvenile Mental Defective Delinquents," American Journal of Mental Deficiency, 1952, Vol. 57, p. 116-122.

We must create an atmosphere in which the defective child can live without tension, without frustration. The most important factor in therapy

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for the defective delinquent is the personal or human environment. "To punish is to injure--to reform is to heal; you cannot mend a person by damaging him."

Fordham University Press, Mental Illness Due Process and the Criminal Defendant, Fordham University Press, 1968.

Discusses the problems of the mentally ill defendant and gives statistics on cases committed to Matorinan State Hospital. Good reference to show why a mentally retarded offender should not plead insanity or be removed as incompetent.

Fox, Sanford. The Mentally Retarded Citizen and the Law, New York, New York: Free Press, 1976, Ch. 20, pp. 626-638.

The author of this book feels that calling attention to the MR offender in the criminal law may only lead to further indiscriminate abuse of MRs because it would increase community fear and hostility towards them.

Fraser, William I. "A Retrospective and Cross-Sectional Investigation of a Deviant Subcultural Group," American Journal of Mental Deficiency, 1970, Vol. 75, 298-303.

513 behaviorally disturbed retarded and borderline retarded males from a Scottish therapeutic community were studied retrospectively and by cross-sectional analysis 10 years after the community terminated. The patterns of prior crime appeared to be unaltered by the therapeutic environment, contrary to earlier claims. Subsequent offenders were recognizable by conduct in the hospital but not by historical antecedents other than prior offenses. There was a spectrum of behavior characteristics between the recidivist and non-recidivist. The retardate required a stable adult figure after discharge with whom he could identify.

Friedman, Lawrence J. "No Psychiatry in Criminal Court," American Bar Association Journal (Chicago), 56(3), 242-243, 1970.

The article calls for psychiatric contributions to remain outside of the courtroom. Psychiatrists cannot explain insanity sufficiently to lawyers so they should only provide information for the court to decide upon.

Friedman, P. Rights of the mentally retarded persons in the criminal process, In, Friedman, P. The Rights of Mentally Retarded Persons: The Basic ACLU Guide for the Mentally Retarded Person's Rights, Avon Books, New York, 1976.

The author reports that the most serious problem faced by the mentally retarded offender in the criminal justice process is the inability on the part of the police, lawyers, judges, etc., to identify the accused criminal as also being mentally retarded. He goes on to state that the condition of mental retardation is an important factor which should be weighed in the determination of any or all of the following: competency to stand trial, admissibility of confessions, and criminal responsibility.

Friedman, T. and Macaulay, S. Law and the Behavioral Sciences, Bobbs Merrill Co., Inc., New York.

Brief description of mental illness and mental retardation including psychiatrists' questions (p. 664) and civil commitment procedures (p. 657).

Gagne, Eve E. Educating Delinquents: A Review of Research, Journal of Special Education, 1977, Vol. 11, pp. 13-21.

This is an overview of education of delinquents. It deals with all types of delinquents especially retarded delinquents. The MR offender charactistically has serious reading problems, and a poor self-image. There is a connection between misconduct and low-intelligence in lower class boys. The MR delinquents have a higher probability of institutionalization, and many authors have advocated separate institutional facilities for retarded offenders.

Gammage, Allen Z. and Hemphill, Charles. Basic Criminal Law, McGraw-Hill, Inc., New York, New York C 1974.

A handbook on the substantive criminal law written especially for the present on prospective police officer. Only basic principles of law are presented. This work is a basic reference book, and every effort was made to keep the material practical.

Giagiari, Susan. The Mentally Retarded Offender, Crime and Delinquency Literature, 3(4) 559-577, 1971.

The mentally retarded offender should be treated as an ill or handicapped individual, not as a "dumb and cruel" deviant. Progress has made the retarded person more frustrated and less able to compete in society. This has generated more aberrant behavior. "Exceptional offenders courts" should be established to treat the mentally retarded offender fairly.

Gorechi, Jan (Univ. Illinois, Champaign 61820). Crime and Causation Theories, Failures and Perspectives, The British Journal of Sociology, 1974, 25, 4, Dec., 461-477.

Due to the heterogenity of criminal behavior, all general explanation of crime are failures. A typological approach makes causal analyses feasible if proper criteria of classification are adopted. Two criteria suggested are external characteristics of criminal behavior and its meaning.

Greene, William S. Prison is Not for Me, Invictus Ltd., Publishers, Granada Hills, California, 91344.

The author of this book is a lawyer who specializes in legal problems of developmentally disabled. He provides a guide to California Penal Code Section 1370.1, which established an alternate legal process for handling MR criminal defendants.

Haggerty, D., Kane, L. and Udall, David. An essay on the legal rights of the mentally retarded, Family Law Quarterly, 6(1): 59-71.

There is a failure to distinguish between the mentally retarded and the mentally ill that causes deprivation of rights among retarded people. This is most evident when a retarded person commits a crime. Only in a few cases does this person receive special understanding and protection. A retarded suspect can't understand his charge, can't tell his side of the story and can't help his lawyer defend him. He may be institutionalized if he can't stand trial until such time as he is found competent. Since no one recovers from retardation, he may remain there for life.

"Handle with Care," (film) (16 mm, B&W, 28 min.) National Association for Retarded Children, 420 Lexington Avenue, New York, New York 10017.

Depicts the varied services received by selected mentally retarded persons in the greater Los Angeles area, often with the initial help of one particular agency. The emphasis is on implementation of the "fixed-point-of-referral" concept.

Healey, Wm. C and Karp-Nortman, Doreen S. The Hearing Impaired Mentally Retarded: Recommendations for Action, American Speech and Hearing Association, 1975, Washington, D.C.

Presents a study aimed at re-alerting policy makers and the public to the needs of the hearing impaired retarded. Legal rights and federal legislation, and finances are discussed.

Herr, Stanley, and others. "Symposium: the legal rights of the mentally retarded," Syracuse Law Review, Syracuse, N. Y., 1972, Vol. 23(4): 995-1165.

Ten papers on the legal rights of the mentally retarded are presented. The articles concern enforcing the constitutional rights of the mentally retarded; appropriate education for all handicapped children; trends in the field of MR; education of the MR in California; educational rights for the retarded in Pennsylvania; and environment for the MR.

Hinkle, Van R. "Legal Rights of the Mentally Retarded," American Journal of Mental Deficiency, 1958, Vol. 63, p. 501-505.

We must recognize that there is such a person as a mentally deficient delinquent who is not insane according to the traditional legal tests, and we must place such a person in a specialized insitution geared for his particular needs, where he can be given humane treatment instead of either acquitting him and letting him return to society or convicting him and sending him to prison.

Hinkle, V.R. "Criminal responsibility of the Mentally Retarded," American Journal of Mental Deficiency, 1961, 65(4) 434-439.

This article discusses various rules of the 1800's and 1900's on the criminal responsibility of the mentally retarded. From the mentally retarded previously being classified with the mentally ill and our historical concept of holding a "deficient" person to full responsibility for his acts as a normal person and sending him to prison or

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entirely acquitting him and returning him to society, the interest is now being directed toward more consideration of the welfare of the mentally retarded.

Hodges, E. F. Crime Prevention by the Indeterminate Sentence Law, American Journal of Psychiatry, 128(5): 291-295, 1971.

Maryland's defective delinquent statute is described. The law provides a unique approach in the treatment of dangerous offenders at Patuxent Institution. Without the law 1500 additional crimes would be committed by prisoners after their release. The indeterminate sentence is outlined in the law protecting society and handling the defendant more effectively.

Inbau, Fred E. and Aspen, Marvin. Criminal Law for the Laymen, A Guide for Citizen and Student, Chilton Book Company, Radner, Pennsylvania, C 1970.

This book was prepared to satisfy the need of the layman and the student for easily understood facts about criminal law and its application on all levels.

Case History, "Is He Dangerous," The Exceptional Parent, 1973, Vol. 3, pp. 47-50.

The case history concerns a13-year-old retarded boy who was accused of sexually abusing a teenage girl. The case delves into the feelings of the family and the boy, and it also examines the reactions of the police and the community.

Jones D. Confinement of subnormal offenders, British Medical Journal, 3, 231-232, 1972.

The author believes that in order to be consistent with the current trends towards normalization for the mentally retarded population that such offenders should "pay the penalty in accordance with the law." He goes on to state, however, that such confinement or incarceration should be in special facilities for such offenders. This would allow for some form of therapeutic treatment and rehabilitation for many of these persons.

Kindred, Michael. The Mentally Retarded Citizen and the Law, MacMillan Publishing Co., Inc., New York, 1976.

This is a collection of 22 papers which concern the civil and legal rights of the mentally retarded. Of special interest are the sections titled, "The Criminal Reform Movement," "Corrections," and "Special Doctrinal Treatment in Criminal Law."

Kingsley, Ronald F. An Analysis of Delinquent and Nondelinquent Educable Mentally Retarded Youth, Devereux Forum, Vol. 10, 1975, pp. 20-25.

An Interests-Activities Inventory was given to 58 EMR boys, ages 11-15, 36 of whom had been in Juvenile Court. Delinquents preferred group activities which were passive, while non-delinquents opted for solitary or active. In other areas of the survey there were no significant differences.

Kingsley, Ronald F., Blixt, Sonya. "An analysis of interests of delinquent and non-delinquent MR youths," Journal of Community Correctional Centers (Baton Rouge, LA), 1973, Vol. 1(2), 31-37.

Interests and activities of 36 delinquent and 22 non-delinquent EMR boys attending special classes in the inner city were examined. Based on reported interests, it was found that group activities that were passive in nature differentiated the delinquent from the non-delinquent.

Krakel and Kach. The Mentally Disabled and the Law, University of Chicago Press, 1971.

General overview of definitions, court cases and decisions of the mentally retarded offender and the law--textbook type format.

Kugel, R., Trembath, J., and Sagar, Steven. "Some characteristics of patients legally committed to a state institution for the mentally retarded," Mental Retardation, 1968, 6(4). 9-12.

This article analyzed the pattern of court commitments made to a public institution over the past 58 years. An analysis is presented of certain characteristics of 142 of these patients during a 19-year period. In addition, an analysis has been made of the offenses of this group of persons and their current status as far as institutionalization is concerned. The appropriateness of the commitment procedures has been questioned and discussed.

Landau, Simha F., (Hebrew Univ. Jerusalem, Israel). Futures: Time Perspective of Delinquency and Non-Delinquents, Criminal Justice and Behavior, 1975, 2, 1, March 22-36.

The assumption that both delinquency and institutionalization independently have a limiting effect on the range of future. Time perspective is investigated.

Law, Mental Disorders and the Juvenile Treatment, Process, Government Reports Announcements, 1974, Vol. 74 (24), p. 19, (#P.B.236274/4GA).

The 5 yer. (1967-1971 research project undertook a variety of studies to examine the processing of juvenile courts of allegedly delinquent juveniles who are also MR. Vol. 4 of the 4-vol. report contains the proceedings of a conference which focused on 4 presentations concerning successful treatment programs for such delinquents and the legal problems surrounding the commitment process.

Legislative Research Commission. Mentally Retarded Offenders in Adult and Juvenile Institutions, Frankfort, Kentucky, 1975.

This research report is divided into two sections--the juvenile offender and the adult offender. The study took place in 1974-1975. It evaluates the services provided to mentally retarded offenders in Kentucky correctional institutions. The areas studied are: Findings and Recommendations - Treatment Programs and Future Plans; Inmate Population Data; State Surveys; Inmate/Staff Survey Data; Kentucky Statutory Law; Legal Trends Towards A Right to Rehabilitation; The Denial of Legal Rights of Kent. MR Offenders; and Proposed Treatment Plan.

Levy, S. "The role of mental deficiency in the causation of criminal behavior," American Journal of Mental Deficiency, 1963, Vol.68, pp.15-23

This is the results of a study carried out at the Washington State Penitentiary, Walla Walla, Washington and was part of a larger investigation into the causation of criminal behavior. Instead of using mental retardation in a theory of criminal behavior the study shows there is no typical "defective" criminal but really a tremendous range of difference in background, personality, physical and emotional factors of criminals thus resulting in the bio-psychosocio phenomenon. Much of this was based on that at the time of the study the amount of MR in the general population was the same as in the prison.

Lawandowski, D. and Saccuzzo, D. Possible Differential WISC Patterns for Retarded Delinquents, Psychological Reports, 1975, 37, 887-94.

This article describes a study in which an attempt was made to assess the generalizability of Wechsler's WAIS hypotheses for the non-defective adolescent sociopath to 80 retarded juvenile offenders.

Ligato, John. Integrating Retardates and Delinquents, Journal of Special Educators of the Mentally Retarded, 1972, Volume 9, pp. 63-64.

This article examines the placement of delinquents in facilities for the retarded. The author feels that many delinquents are misplaced through invalid testing. The court should use better evaluation systems and develop programs for the delinquent, and the mentally retarded delinquent. The author opposes the integration of any juvenile delinquent with the non-delinquent mentally retarded.

Staff writer, Lag times Lag, Times Magazine, May 20, 1975, Vol. 106, p. 57.

The article goes into detail on the problem of whether or not a person is really criminally insane or are they retarded and can they stand trial?

Lomastro, James A. The Retarded Offender: A New Perspective, Brandeis, Ph.D. dissertation, May 1976.

Adaptive Behavior scale administered to a sample group of 65 retarded parolees and 44 non-retarded parolees. Results: those found to be low in functional capacity were also low on family stability. The retarded low on func. cap. were in prison 3 times as long as non-retarded, in spite of similar offenses, arrest, and conviction history. Policy implications of the findings are discussed. Found in Abstracts for Social Workers, V. 12, No. 3, Fall 1976.

Long, Thomas A. (Univ. Cincinnati; OH 45221), Capital Punishment - Cruel and Unusual, Ethics, 1973, 83, 3, April, 214-223.

A brief examination of the various arguments for and against capital punishment in the face of a widewpread movement to abolish it.

Marsh, Robert L., Friel, Charles, M., and Eissler, Victoria. The Adult Mentally Retarded in the Criminal Justice System, Mental Retardation, 1975, Vol. 13, No. 2, 21-25.

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Notes that adult mental retardates are increasingly being processed through the criminal justice system. The retarded person, because of the lack of mental competence, in addition to the intricacies of the criminal justice system, is often incarcerated, and this does little to improve him.

Martinson, Robert (City Coll. N.Y., N.Y. 10031). What Works - Questions and Answers About Prison Reform, The Public Interest, 1974, 35, Spr., 22-54.

From a comprehensive survey of the numerous recent studies of rehabilitation in our prison system, some possible solutions are discussed and examined.

Matthews, Robert and Rowland, Loyd. How to Recognize and Handle Abnormal People, National Association for Mental Health, Arlington, Va., 1954.

This is a book that is a manual for police officers on how to deal with individuals who are mentally ill, depressed, the alcoholic, drug addict and the mentally retarded. The book gives tips on some of the characteristics of the MR, how to spot the, the questions to ask them, and who to contact in case an MR individual gets into trouble with the criminal justice system. This book is outdated in many respects and I'm sure that police officers today are much more sophisticated.

McCollum, Sylvia G. "Say, Have You Got Anything Around Here for a Dummy?," Federal Probation, Sept. 1971, Vol. 35, pp. 37-42.

This article details the new educational programs being offered in Federal prisons. Previous programs were focused on educating the "average" inmate," with little available for the MR. offender. The new programs are multi-faceted with the focus on individual instruction for each inmate.

Menolascino, Frank J. The Mentally Retarded Offender, Mental Retardation, Feb. 1974, p. 7-11.

A historical prospectus, societal viewpoint and contemporary services for the offender allusion. Also deals with suggested conceptualizations for the offender in services.

Menolascino, Frank. A System of Services for the Mentally Retarded Offender Crime and Delinquency, Vol. 21, Jan. 1975, p. 57-64.

The author discusses some of the common ideas about the relationship between the MR offender and the CJ system. He points out new evidence to suggest that MR and crime are more related to environmental factors than to each other. He points out, however, that MR individuals have special needs within the CJ system. For example, he is more likely to be unaware of his rights. He suggests that we more specifically define, implement, and then treat the needs of the individual. A service program should include the elements of prevention, advocacy and treatment wherein a professional could live in a facility of 6-8 other individuals to receive vocational and rehabilitative training.

Menolascino, Frank J. Challenges in Mental Retardation: Progressive Ideology and Services, Human Science Press, New York, N.Y., 1977.

Chapter 5 is entitled "The Mentally Retarded Offender." Topics covered are: historical perspectives, societal viewpoints, current viewpoints, contemporary services and a suggested conceptualization of services.

Mental Illness and Due Process, Committee of Cornell Law School, Cornell University Press, 1962.

It is the study of laws and procedures of mentally retarded persons and admissions in criminal cases. It deals with New York's mental hygiene laws and the due process of law.

The Mentally Retarded Citizen and the Law, Free Press, Macmillan and Co., New York, 1976. Sponsored by the President's Committee on Mental Retardation.

This book offers the most extensive and informed treatment of the legal position of the mentally retarded. Each chapter covers a topic of major importance with an editorial introduction, also an in-depth legal analysis and one or more comments.

Mentally Retarded Offenders in Adult and Juvenile Correctional Institutions, Kentucky Legislative Research Commission Research Report No. 125, Frankfort, Kentucky, 1975.

Part I - MR Offenders in Adult Correctional Institutions by Cull, William.: Findings and Recommendations; State Surveys; Inmate/Staff Survey Data; Denial of Legal Rights to MR Offenders; Inmate Population Data; Kentucky Statutory Law; Legal Trends, Rights to Rehabilitation; Proposed Treatment Plan.
Part II - MR Offenders in Juvenile Correctional Institutes by Reuthebuch and Pape: Introduction; Findings; Current Provisions; Recommendations.

The Mentally Retarded Offender in Omaha, Douglas County, Creighton Law Review, 1974-75, 8:622-81.

The purpose of this study was to describe Omaha's criminal justice system in terms of the mentally retarded adults who become involved with the process. A descriptive study was done on those MR's who entered the community criminal justice system. The project recommended the establishment of a mental health-mental retardation referral and investigation service to identify mentally abnormal offenders.

Miller, Clark J., Mayer, Deborah, Whitworth, Jr., and Wallace, E. "A Study of mentally retarded juvenile offenders in Corpus Christi, Texas," Federal Probation, 37 (2): 54-61, 1973.

A program utilizing a specialized treatment approach with a caseload of retarded offenders at Martineau Juvenile Hall in Corpus Christi, Texas was studied. (I.Q. range 51 to 83, median I.Q. 67.5) Purpose of program to develop techniques and methods with which to more effectively aid the offender in becoming a more productive member of society. Various treatment approaches used included behavior modification and transactional analysis. Two most important aspects needed in treatment are constant supervision and repetition of expectations. Progress noted in areas school achievement and attendance and family dynamics.

Moise, Lotte E. Will the Real Advocate for the Retarded Please Stand Up?, Child Welfare, 1975, Vol. 54, No. 1, 27-33.

Uses personal experience as a basis for discussing citizen advocacy programs for the retarded. Programs are being developed in U.S. and Canada, and are designed to help the disabled achieve greater independence and fuller citizen status.

Morland, Nigel. Papers From The Criminologist, Wolfe Publishing, LTD, London, 1971.

This is a collection of articles dealing with criminology. The book deals with a great amount of forensic investigation, especially the measurement of mental illness and mental retardation. Cases and problems concerning mental retardation are discussed in a few chapters, particularly in the chapter titled Delinquency and Education.

Morris, J.V. "Delinquent Defectives: A group study," American Journal of Mental Deficiency, 52, 1948, pp. 345-349.

Concerned with the problem of rehabilitation and housing facilities for defect delinquents. Calls for the introduction of hostels to aid reintroducing them to the community.

Morris, J.V. A special unit for delinquent defectives, American Journal of Mental Deficiency, 62:432-435, 1957.

Describes the unit for severely-retarded defectives developed in England after extensive consultations between the architects and medical personnel. In the first nine months there were no instances of aggressive behavior.

Nassi, Alberta and Abramotitz, Stephen. "From Phrenology to Psychosurgery and Back Again: Biological Studies of Criminality," American Journal of Orthopsychiatry, 1976 (Oct.), Vol. 46 (4), 591-607.

The authors trace the history of the causations of crime from phrenology in 1839 up through the hypothesis of the aggressive X44 male. Included in this is the discussion of a high percentage of MR individuals and crime relationships based on the studies of Fernald, Goddard and Printner. Each of these former individuals felt that crime was a result of inborn intellectual deficiencies. The authors of this article give explanations as to why previous researchers were incorrect in blaming increased crime rate of MR because of inappropriate populations, no uniform standard intelligence test and no controls used as in scientific research. Authors suggest no biomedical approach to crim

Njhira, Lyly, and Kasuo. Jeopardy in Community Placement, American Journal of Mental Deficiency, Mar. 1975, Vol. 79, No. 5, 538-544.

A survey of the adoptive behavior of 424 community placed retarded persons was conducted. From 1252 incidents cited, 203 were judged to contain jeopardy. The study was divided into 2 behavior categories of lack of skills and emotional disturbances including aggression, deviant behavior, sexual adjustment, and anti-social behavior. Of the reported incidents 77% of these involved jeopardy to health and/or safety, 4% to general welfare and 18% contained legal jeopardy. The clients jeopardized themselves, a fellow client and other members of the community.

Ogg, Elizabeth. Securing the Legal Rights of Retarded Persons, Public Affairs Committee, New York, 1973.

This is a pamphlet in layman's language covering such areas as what is mental retardation?, obstacles faced in the life of a mentally retarded person, past history of the treatment of the mentally retarded role of parents, guardians, and citizen advocates, court cases where mentally retarded individuals are involved, and various rights of the mentally retarded, including rights to treatment, freedom from involuntarily servitude, protection from abuse, to due process, to an education, to the least restrictive environment, and their civil rights.

Olczak, P. and Scott, M. Family Court Placement of Mentally Retarded Juvenile Offenders and the use of Intelligence Testing, Criminal Justice and Behavior, 1976, 3:23-28.

This article examines the occurrence of mental retardation among delinquent offenders, the use of intelligence tests in court dispositions, and placement issues.

Pense, A.W. "Problem of the Male Defective Delinquent in the State School," American Journal of Mental Deficiency, 47, 1943, pp. 467-472.

A follow-up research study on released patients of a N.Y. development center centering on the lack of transitional services for high function mental retardates with social problems who are released into the community.

Plescowe, Foster, and Freed. Family Law cases and materials, Little, Brown and Co., 1972, Boston.

Mental competencies for marriage and contracts.

Power, D.J. "Subnormality and Crime: Intelligence testing-lawbreaking," Medicine, Science, and the Law, London, 1969, Vol. 9(2), 83-93.

Subnormals usually appreciate the physical consequences of illegal behavior, but appreciation of moral implications would depend on the degree of subnormality. Crimes perpetrated by subnormals usually follow an easily recognizable pattern; absence of constructive planning usually facilitates detection. Specific offenses and relevant clinical cases of subnormal offenders are described.

Research Department, Arkansas Legislative Council, The Defense of Insanity, Research Report No. 118, Jan. 1964.

Compares and contrasts different laws within the 50 states for dealing with the defense of insanity including sentencing and discharging incompetent persons.

Rizzo, Nicholas D. Dyslexia and Delinquency: A New Dyslexia Screening Test, International Journal of Offender Therapy and Comparative Criminology, 1975, Vol. 19, 164-177.

Because delinquent behavior has been associated with chronic failure at school, a screening test for dyslexia has been devised.

Robitscher, Jonas. The Retarded Offender, Prison Journal, 49(1), 13-23 Philadelphia, Pa., 1969.

Vermont, Conn., and Ohio have laws that provide special handling and hearings for retarded offenders. But most states treat retarded offenders no differently than the regular prison population. The procedures under which the developmentally disabled offenders are committed need to be reconsidered.

Rockoff, Edward S. The Mentally Retarded Offender in the Iowa Correctional Institutions, Dissertation Abstracts International, 1973 (Dec.), Vol. 34 (6-A), 3194.

The purpose of this study was to investigate the social and criminal history of the MR offender and the rehabilitation program provided for him. Information was obtained from a previous study, personal interviews with lawyers, judges and probation officers. The major findings were that there were only 15 MR offenders confined to 2 correctional institutions in Iowa. This was based on measured intelligence. There were 18 vocational and academic programs offered at the correctional facility. 83% of the MR offenders were enrolled in at least one rehabilitative program that were applicable.

Rogan, Thomas F. "The mentally retarded juvenile offender," The Mentally Retarded Offender and the Law, selected papers from an institute held at Wintonia House, Seattle, Wa., August 1971. Olympia, Wa. State Health Dept. of Social and Health Services, 1971, pp. 46-60.

Definitions of MR, legislation in different states, resources in the judicial system, and disposition problems are dealt with in this discussion.

Rosenthal, David (National Institute of Mental Health, Bethesda, MD. 20014).. Heredity in Criminology, Criminal Justice and Behavior, 1975, 2, 1, Mar. 3-21.

Evidence is brought together to indicate that much criminology can be traced to environment factors, but findings from family studies and adoption studies, indicate that heredity factors are also implicated in criminology.

Rowan, Beverly A. The Retarded Offender, Florida Bar Journal, 1972, 46:338-4

The author discusses the competency of a mentally retarded offender to stand trial. She questions the admissibility of confessions and incriminating statements. She advocates the establishment of a mental health and retardation referral service.

Sabatino, David A. Educational Practices in Correctional Institutions, Behavioral Disorders, 1975, Vol. 1, p. 21-26.

This is a survey of the educational programs in 136 corrective institutions for juveniles. The reports show that the programs do not have much to offer for the MR offender. Only 10% of the teachers have a background in exceptional education, and a large part of the curriculum center on workbooks. However, 74% of the institutions offer vocational training for the juvenile delinquents.

Sanders, Wyman R. "Juvenile Delinquency and the Mildly Retarded Adolescent," Medical Insight, 1974, Vol. 6, p. 28-32.

Juvenile Delinquency is discussed in terms of the mildly retarded adolescent; case examples are cited. Suggestions given for treatment: prevention, collaboration among medical and paramedical fields, school system probation dept., and other rehabilitation and recreational facilities in the community.

Santamour, Miles and West, Bernadette. The Mentally Retarded Offender and Corrections, National Institute of Law Enforcement and Criminal Justice, Washington, D.C., 1977.

This is a prescriptive package intended to help law enforcement agencies better understand the mentally retarded offender. Included are definitions of retardation and criminal behavior, presentation of the facts and a discussion of issues, an overview of research, conferences, surveys and programs, functional concepts of retardation and criminal behavior, planning a program for defenders, and a summary.

Santamour, Miles B. The Naive Offender, New England Seminar on Retarded Youth and Law Enforcement Process, Salve Regina College, Newport, R.I.

A synopsis of the educationally mentally retarded offender and common law practices.

Santamour, Miles B. The Other Ten Percent, American Journal of Correction, 1977, 39: 16, 36.

This article gives statistics regarding the number of retardates in prisons. It discusses the problems these inmates have during their trials and incarcerations in prison.

Shapiro, A. The mentally retarded offender. In Mittler, P. (Ed.) Research to Practice in Mental Retardation - Volume I Proceedings of the Fourth Congress of the International Association for the Scientific Study of Mental Deficiency, University Park Press, Baltimore, 1977.

The author reports that it is difficult to correlate specific types of offenses with specific conditions manifested by the mentally retarded population. In an attempt to provide more appropriate therapeutic/rehabilitative services for such clinical subgroups, two approaches have been traditionally employed -- services provided within the prisons and services provided within minimum security units. The author recommends more minimum security units for two of these clinical subgroups -- those associated with environmental deprivation and those associated with organic etiologies.

Shriver, Eunice Kennedy. The Challenge of the Mentally Retarded, New Catholic World, Sept. 76, p. 200.

The article deals with the questions on the rights of the mentally retarded for legal assistance they deserve, human rights, their rights to life, liberty and happiness are protected, education-health protection under the law.

Smith, J. O. "Criminality and Mental Retardation," Training School Bulletin 1962, Vol. 49(3), pp. 74-80.

This article deals with the relation of criminality and the mentally retarded from the time when the mentally deficient were cared for and treated in institutions to the present. Various studies are cited. The conclusion was that there is no direct relationship between limited intelligence and social misbehavior.

Snodgrass, Jon (California State Univ., Los Angeles 90032). The Criminologist and his Criminal, The Case of Edwin H. Sutherland and Broadway Jones, Issues in Criminology, 1973, 8, 1, Spring 1-17.

Snyder, R. and Sechrest, L. An experimental study of directive group therapy with defective delinquents, American Journal of Mental Deficiency, 54: 117-123, 1959.

Presents the results of an investigation of the application of group therapy procedures to institutionalized, chronically delinquent defective males. Two therapy groups, two placebo groups, and one no treatment group were followed over a 13-week period. The inmates receiving therapy had fewer appearances in behavior courts for more serious violations. Results are attributed to the directive nature of therapy.

Southeast Regional Conference on Youthful Mentally Retarded Offenders, South Carolina Department of Mental Retardation, Columbia, South Carolina, 1968.

Report included the following sections: arrest procedures and incarceration; identification, evaluation and court procedures; court disposition of such offenders; after-care and follow-up; educational and preventive measures. Report made no effort to evaluate these procedures, but rather just to document them.

Steadman, Henry J. We Can't Predict Who is Dangerous, Psychology Today, Jan. 75, pp. 32-35, 84.

In this article the author criticizes how the criminal justice system handles mental patients. Also a section on mental retardation and their treatment. If arrested, what happens to their rights and are th dangerous, to themselves or others. Who is considered dangerous, who makes the rules, who decides?

Sternlicht, Manny and Kasen, Menachem B. Criminal Behavior in the Mentally Retarded: A psychoanalytic interpretation, Transnational Mental Healt Research Newsletter, 1976 (Spr.), Vol. 18(1), 1, 3-4.

Presents a psychoanalytic hypothesis to explain the relationship between crime and the mentally retarded individual. This cites that the entire personality structure of the individual leads to criminal behavior. Because of the defective development of ego and superego and inadequate nurturance in early life, the developmental process is likely to lead to defective personality.

Sternlicht, M. Establishing an initial relationship with delinquent retarded male adolescents, American Journal of Mental Deficiency, 69(1): 39-41, 1964.

The problem of establishing a meaningful relationship in group psychotherapy with delinquent retardates was discussed. All patients were considered to be severe behavior problems.

Stone, Alan A. Mental Health and Law - A System in Transition, National Institute of Mental Health, Rockville, Maryland, 1975.

This book is a study of all aspects of mental health and the law, in regards to confinement, role of the judiciary, in-patient care, mental retardation, their rights as human beings, protection of their interests, and competency to stand trial.

Svendsen, B. and Werner, J. Offenders within ordinary services for the mentally retarded in Denmark. In, Mittler, P. (Ed.), Research to Practice in Mental Retardation - Volume I Proceedings of the Fourth Congress of the International Association for the Scientific Study of Mental Deficiency, University Park Press, Baltimore, 1977.

The present policy in Denmark has been to transfer mentally retarded offenders with IQ's up to 75 to traditional service agencies, such as institutions. Such persons are reclassified as a patient and are officially designated as patient-offenders. This article discussed the public debate over this issue and the subsequent study. The study recommended a continuation of the present policy with minimal changes in its application.

Takakwa, Masuyuki, et al. "A study of the effect of therapeutic treatment of mentally deficient delinquents," Bulletin of the Criminological Research Dept., 1970, Vol. 17-19.

Personality changes in 20 mentally deficient male delinquents as a result of therapeutic treatment, mostly psychodrama,were measured in this study. The average number of psychodrama sessions attended was 24 per subject. Research tests and therapy process reports were examined to measure the effects of therapy. The findings indicated that the treatment had considerable therapeutic effects for the subjects.

Talent, A. and Keldgord, R. "The mentally retarded probationer," Federal Probation 39(3) 39-42, 1975.

Less effort has been expended in the United States to rehabilitate the mentally retarded offender than any other group of offenders, considering retarded offenders comprise up to 24% of the offender population. In 1972, the Pima County (Arizona) Adult Probation Department with Law Enforcement Assistance Administration funds began a project designed to identify mentally retarded probationers and thereafter to develop and provide services uniquely aimed at their problem areas. This project has only produced tentative findings since it was not subject to verification which can result only from full-scale research. Future plans include continuation of the project as well as it being a model to be used by other correctional agencies.

Tappan, Paul. Crime, Justice and Correction, McGraw-Hill, N.Y., N.Y., 1960.

This was a textbook which divided the criminal justice system into three component parts. The chapters of the book included the prevalence, distribution, causation and social-cultural factors of crime. The second part was the police and the judicial procedures and the special problems of justice. The third section was about the prevention, probation, and the prison system itself.

Tennessee Legislative Council Committee. Study on mentally retarded public offenders, 1970, Nashville, Tn., 1970.

Recommendations of study: 1) the M'Naughten rule should not be altered, 2) educational material on MR should be distributed to law enforcement officers, 3) if there is suspicion of retardation, accused should be given mental exam before police interrogation, 4) if accused is found incompetent to stand trial, a post-commitment hearing should determine guilt, 5) separate correctional facility for treatment of MR offender should not be established at this time, 6) care and treatment for offender should be provided in the community instead of penal institution, 7) treatment programs should be set up within correctional institutions to train him to reassume a constructive role in society.

"They Call Me Names," (film) (16 mm, color, 16 min.), Educational Films for the Exceptional, 8519 Ceylon Avenue, Pico Rivera, California, 90660

Portrays people's reactions to the retarded child as an aspect of the effect of the stereotype. Reactions of fear and/or apprehension have been the source of many misguided decisions and ideas. The error of evaluating a person on the basis of IQ alone is discussed. It is emphasized that evaluation must consider the total person, including his level of adaptive behavior.

Truesdell, Dr. Leon E. Crime and Mental Disease or Deficiency, U.S. Government Office of Printing, Washington, D.C., 1936.

It is statistics of criminal insane, etc. in state and federal prison and persons accused or convicted of crime, in state institutions for mentally defective. It also shows what disposition is made of mentally diseased and mentally defective people.

Tullock, Gordon (Virginia Polytechnic Institute, Blacksburg 24061). Does Punishment Deter Crime? The Public Interest, 1974, 36, Sum. 103-111.

Using multiple regression it is possible to accommodate the numerous variables affecting the crime to an equation.

Tymchuk, Alexander J. "A Perspective on Ethics in Mental Retardation," Mental Retardation, 1976, Vol. 14, pp. 44-47.

There has been increasing concern for the protection of rights of the retarded. While various organizations have provided leadership in this area, additional steps are needed to insure that such protection occurs. This may be done through the education of retarded persons themselves, as well as others regarding the rights of the mentally retarded.

Tymchuk, Alexander J. Effects of Concept Familiarization vs. Stimulus Enhancement on Verbal Abstracting in Institutionalized Retarded Delinquent Boys, American Journal of Mental Deficiency, 77, 551-555, March 1973.

This is an experimental study involving two treatment groups and a non-treatment group. The treatment groups were trained with lists which were to teach concept familiarization procedures. IQ tests were administered prior to the treatment. Trials for concept familiarization were recorded. Stimulus enhancement was given to one group. The variance on test results were charted. Discussion of the results included the hypothesis of what similar treatments effect on environmental concepts might be.

Vehling, Harold F. Correction of a Correctional Psychologist in Treatment of the Criminal Offender, Charles C. Thomas, Springield, Illinois, c 1973.

This book is written from the standpoint of a recently retired senior staff psychologist who served 37 continuous years as a correctional psychologist in a penal setting. In scope clinical and custodial shortcomings are discussed over the last four decades.

U.S. Department of Health, Education and Welfare, State Laws and Regulations affecting the Mentally Retarded, Public Health Service, Washington, D.C., June 1964.

A small volume of checklists in outline form to be used to examine existing state laws. Provides a good skeleton for taking inventory on laws concerning the mentally retarded in 12 areas.

U.S. Department of Health, Education and Welfare, Correctional Administration and the Mentally Retarded Offender, Incompetent Offender, Washington, D.C., Research Grant No. ROI-MR-0/006, 1973.

Synopsis of what the correction agencies are doing for the mentally retarded offender.

University of Missouri, St. Louis, Extension Dviision. Manual for Instructors: Service to the mentally retarded youthful offender, St. Louis, Univ. of Missouri, 1972, 82 p.

This curriculum guide is written by professionals working with retarded offenders and by experts in the justice system and education. Twelve modules are included and described in detail. Modules include: 1) Introducing Participants and Contents, 2)Identifying the Retarded, 3) Appraising their Assets and Limitations, and Dispelling Myths About Them, 4) Diagnosing and Understanding the MR Youthful Offender, 5) Legal Aspects in the Handling of Retarded Delinquents, 6) Understanding the Practitioners' Role, 7) Communicating with the Client, 8) Understanding and Communicating with Parents, 9) Apprehending the Client, 10) Specific Treatment Approaches, 11) Putting it all Together, 12) Spec. Interests or Problems.

Weber, Robert and Spears, Catherine E. The naive juvenile offender: mental retardation as learning disabled, Trenton, N.J., 1975.

The offenses the retarded commit are often impulsive and nonsensical generated by years of failure, exploitation or ridicule. Or they

(continued)

are the result of manipulation by other juveniles of average or above average intelligence. The retarded juvenile offender is often the victim-accomplice in an offense. Once the MR offender enters the judicial process his handicap may not be recognized by the people in the system. But he has the right to treatment blended with humaness. At present the attitudes and approaches cause the retarded in correctional institutions to vegetate and disintegrate.

Whitehead, J.A."Fitness to Plead," International Journal of Offender Therapy and Comparative Criminology, 1973, Vol. 17, p. 129-133.

It seems necessary to do something to ensure that mental illness does not result in unfair and unequal treatment under the law. Since "competency" concerns the present, rather than the past and turns essentially upon the defendant's ability to present his case in court, injustice is frequently enacted on the mentally incompetent.,

Whitehead, J.A. "The Rights of Mentally Abnormal Offenders in England and Wales," International Journal of Offender Therapy and Comparative Criminology, 1973, Vol. 18, p. 302-306.

Author discusses the treatment of mentally abnormal offenders. He is strongly opposed to compulsory treatment, and the treatment facilities. They are degrading. All people are entitled to be treated as human beings, and this entitlement should not evaporate in the case of poor mental health associated or unassociated with crime

Wiehofen, Henry. Insanity as a Defense in Criminal Law, E.L. Hildreth and Company, 1933.

Historical trends in legal responsibility and discussions on the concept of burden of proof in regard to incompetency.

Wood, Robert Henly. Legal Aspects of Mental Retardation,C.C. Thomas, Springield, Ill., 1974.

The book attempts to develop a continuum from the definitions of the concept of reliability and of mental retardation through diagnostic practices and nosological class of rational system: to these more legal issues of the MR/criminality hypothesis the liability of the MR and judicial procedures.

Woodward, Harry H. "The Mind: It's Own Place," Journal of Rehabilitation, 1975, Vol. 41, pp. 22-25.

This study deals with a program of rehabilitation called Guides for Better Living. The program develops self-motivation in the inmates through a positive mental attitude which focuses on the individual's strengths. The program has shown success with mentally and physically handicapped inmates, and has now been expanded for all volunteering inmates. Many graduates of this program later became trainers.

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